

# Notice of Allowability

Application No.

10/676,035

Examiner

Pia F. Tibbits

Applicant(s)

TAKANO ET AL.

Art Unit

2838

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 5/17/2005.
2. ☒ The allowed claim(s) is/are 8-16.
3. ☒ The drawings filed on 29 November 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☒ Certified copies of the priority documents have been received in Application No. 10153807.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **DETAILED ACTION**

This Office action is in answer to the amendment filed 5/17/2005.

#### ***Allowable Subject Matter***

1. Claims 8-16 are allowed.

With regard to claims 8, 9: none of the references of record prior to applicant's filing date discloses, teaches, or suggests a method for controlling a DC power source unit used as a power source of an electrically powered tool, the tool having a chargeable battery pack used as an alternative power source of the tool and a power switch, the method comprising, *inter alia*, the steps of detecting a battery condition as to whether or not the battery pack has been fully charged, wherein said detection continues when said battery pack is being currently charged and when said DC voltage from said DC power source is being supplied to said tool and charging of said battery pack is being interrupted.

With regard to claims 10, 11, 16: none of the references of record prior to applicant's filing date discloses, teaches, or suggests a method for controlling a DC power source unit used as a power source of an electrically powered tool, the tool having a chargeable battery pack used as an alternative power source of the tool and a power switch, the method comprising, *inter alia*, the steps of measuring a time period during which the power switch is continuously held in off state and, charging said battery pack when said measured time period exceeds a predetermined period of time.

With regard to claims 12-15: none of the references of record prior to applicant's filing date discloses, teaches, or suggests an electrically powered tool having a chargeable battery pack and a power switch, said tool being adapted for use with a DC power source unit as an alternative power source, said DC power source unit comprising, *inter alia*, a switch circuit for switching between supplying the DC power to the tool and supplying DC power to the battery pack for charging the battery pack, the charging of the battery pack being interrupted when the DC power is supplied to the tool; wherein the controller receives the condition signal from the battery condition detecting means and determines that the battery pack is fully charged when said battery pack is being currently charged and when said DC voltage from said DC power source is being supplied to said tool and charging of said battery pack is being interrupted.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Pia Tibbits whose telephone number is (571) 272-2086. If unavailable, contact the Supervisory Patent Examiner Mike Sherry whose telephone number is (571) 272-2084. The Technology Center Fax number is (703) 872-9306.

3. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PFT

May 26, 2005

Pia Tibbits

Primary Patent Examiner

A handwritten signature in black ink, appearing to be 'Pia Tibbits', written over the printed name.